

Carbon Monoxide Detectors State Statutes

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Twenty-four states have statutes that require carbon monoxide detectors in certain residential buildings. In addition, Virginia allows tenants to install carbon monoxide detectors in rental properties if they believe it is necessary to ensure their safety. Texas requires carbon monoxide detectors in certain day-care centers, group day-care homes, and family homes.

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State	Citation	Summary
Alaska	<i>Alaska Stat. § 18.70.095 - Smoke and Carbon Monoxide Detection Devices</i>	Relates to the devices, including carbon monoxide detection devices, required in dwellings; provides that such devices must be installed and maintained in all qualifying dwelling units in the state; provides that smoke detection devices must be of a type and installed in a manner approved by the state fire occupancy. Requiresmarshall; provides that carbon monoxide detection devices must have an alarm and be installed and maintained according to manufacturers' recommendations; includes rentals.
California	Cal. Health & Safety Code § 13260 to 13263 - Carbon Monoxide Poisoning Prevention Act of 2010 Cal. Health & Safety Code § 17926 to 17926.2 - Regulation of Buildings Used for Human Habitation	Requires State Fire Marshal to developed approved carbon monoxide device list. Prohibits marketing, distribution or sale of devices not on the approved list. Requires installation of approved carbon monoxide detectors in single-family dwellings by July 1, 2011, and for all other dwellings by 2013 if those dwellings contain a fossil fuel burning heater or appliance, fireplace, or an attached garage. Applies to rental property. Provides \$100 penalty upon sale or transfer of noncompliant dwellings.
Colorado	<i>Colo. Rev. Stat. § 38-45-101 to -106 - Carbon Monoxide Alarms</i>	Requires any existing single-family dwelling or dwelling unit of an existing multi-family dwelling offered for sale or transfer on or after a specified date, that has a fuel-burning heater or appliance, a fireplace, or an attached garage to have an operational carbon monoxide alarm installed within a specified distance of each room lawfully used for sleeping purposes; applies a similar requirement on new residential construction.
Connecticut	<i>Conn. Gen. Stat. § 29-292 - Fire Safety Code. Carbon monoxide and smoke detection and warning equipment. Certificate of occupancy.</i>	Requires the installation of carbon monoxide detectors in new residential buildings; protects individuals and families from carbon monoxide poisoning in their homes; includes new residential buildings meant to be occupied by one or two families.
Florida	<i>Fla. Stat. § 553.885 - Carbon monoxide alarm required</i>	Requires that every building for which a building permit is issued for new construction on or after July 1, 2008, and having a fossil-fuel-burning heater or appliance, a fireplace, or an attached garage shall have an approved operational carbon monoxide alarm installed within 10 feet of each room used for sleeping purposes.

*Fla. Stat. § 509.211 –
Safety Regulations*

Requires that every enclosed space or room that contains a boiler regulated under chapter 554 which is fired by the direct application of energy from the combustion of fuels and that is located in any portion of a public lodging establishment that also contains sleeping rooms shall be equipped with one or more carbon monoxide sensor devices that bear the label of a nationally recognized testing laboratory and have been tested and listed as complying with the most recent Underwriters Laboratories, Inc., Standard 2034, or its equivalent, unless it is determined that carbon monoxide hazards have otherwise been adequately mitigated as determined by the division. Such devices shall be integrated with the public lodging establishment's fire detection system.

Georgia

Sec. R313.4.1 of the Ga. State Minimum Standard One and Two Family Dwelling Code (International Residential Code for One- and Two-Family Dwellings with Georgia State Amendments) adopted pursuant to Ga. Code Ann. § 8-2-20.

Requires carbon monoxide detectors be installed in general sleeping areas in all new one- and two-family homes and townhomes of three stories or less.

Illinois

430 Ill. Comp. Stat. § 135/ - Carbon Monoxide Alarm Detector Act

Requires that every dwelling unit shall be equipped with at least one approved carbon monoxide alarm in an operating condition within 15 feet of every room used for sleeping purposes. Every structure that contains more than one dwelling unit shall contain at least one approved carbon monoxide alarm in operating condition within 15 feet of every room used for sleeping purposes.

Maine

Me. Rev. Stat. Ann. tit. 25, § 2468 – Carbon monoxide detectors

Requires that all single-family dwellings and multiapartment buildings, newly constructed single-family dwellings and rental units have smoke detectors and at least one carbon monoxide detector in an area within or giving access to a bedroom; requires the detectors in multifamily dwellings and newly constructed single-family dwellings to be powered by both the electrical service in the building and by battery.

Maryland

Md. Code Ann., Pub. Safety § 12-1101 to 1106 – Carbon Monoxide Alarms

Requires the installation of carbon monoxide alarms outside of each sleeping area or within a certain distance of carbon monoxide-producing equipment within certain dwellings; prohibits a person from disabling a carbon monoxide alarm; clarifies that this does not prevent a local entity from enacting more stringent requirements; provides that a vendor of a single family dwelling shall disclose if the property relies on fossil fuel combustion for heat and whether carbon monoxide alarms are installed.

Md. Code Ann., Pub. Safety § 10-702 -- Single family residential real property disclosure req.

The disclosure form shall include a list of defects, including latent defects, or information of which the vendor has actual knowledge in relation to the following...If the property relies on the combustion of a fossil fuel for heat, ventilation, hot water, or clothes dryer operation, whether a carbon monoxide alarm is installed on the property.

Massachusetts

Mass. Gen. Laws Ann. ch. 148, § 26f1/2

Requires that every dwelling, building or structure occupied in whole or in part for residential purposes that contains fossil-fuel burning equipment or incorporates enclosed parking within its structure shall be equipped by the owner with working, approved carbon monoxide alarms.

Mass. Gen. Laws Ann. ch.

		No person shall shut off, disconnect, obstruct, remove or destroy, or cause or permit to be shut off, disconnected, obstructed, removed or destroyed, any part of any sprinkler system, water main, hydrant or other device used for fire protection or carbon monoxide detection and alarm in any building owned, leased or occupied by such person or under his control or supervision, without first procuring a written permit so to do from the head of the fire department of the city or town wherein such building is situated, which permit such head is hereby authorized to issue subject to such terms and conditions as, in his judgment, protection against fire and the preservation of the public safety may require.
Michigan	<i>Mich. Comp. Laws Ann. § 125.1504d</i>	Requires newly constructed boarding houses, hotels, motels and other residential buildings where occupants are primarily transient in nature to install an operational carbon monoxide device in each area where a mechanism is present that provides a common source of heat from a fossil-fuel-burning furnace, boiler or water-heater.
	<i>Mich. Comp. Laws Ann. § 125.1504f</i>	Authorizes the director of the Department of Consumer and Industry Services to provide for the installation of at least one carbon monoxide device in the vicinity of bedrooms within newly constructed or renovated single-family or multifamily dwellings.
Minnesota	<i>Minn. Stat. § 299F.50 to .51 – Carbon Monoxide Alarms</i>	Requires that every single family dwelling and every dwelling unit in a multifamily dwelling must have an approved and operational carbon monoxide alarm installed within ten feet of each room lawfully used for sleeping purposes.
Montana	<i>Mont. Code Ann. § 70-24-303</i>	Requires carbon monoxide detectors in each dwelling unit rented by a landlord and limits landlord liability for failure of a detector.
New Hampshire	<i>N.H. Rev. Stat. Ann. § 150:10-a</i>	Requires the installation of carbon monoxide detectors in rental units and in single and multi-family dwellings built or substantially rehabilitated after January 1, 2010.
New Jersey	<i>N.J. Stat. Ann. § 52:27D-133.3 to 133.5 – Carbon monoxide sensor device required for issuance of certificate of occupancy</i>	Requires installation of carbon monoxide detectors in single and two-family homes upon initial occupancy or change of occupancy.
	<i>N.J. Stat. Ann. § 55:13A-7.17 – Carbon monoxide sensor device required in hotel, multiple dwelling.</i>	Requires every unit of dwelling space in a hotel or multiple dwelling be equipped with one or more carbon monoxide sensor devices unless it is determined that no potential carbon monoxide hazard exists for that unit.
	<i>N.J. Stat. Ann. § 55:13B-6.1 – Rooming and Boarding Houses</i>	Requires every unit of a rooming or boarding house be equipped with one or more carbon monoxide sensor devices unless it is determined that no potential carbon monoxide hazard exists for that unit.
New York	<i>N.Y. Exec. Law § 378 – Standards for New York state uniform fire prevention and building code.</i>	Requires New York Fire Prevention and Building Code to adopt standards for installation of carbon monoxide detectors requiring that every one- or two-family dwelling constructed or offered for sale after July 30, 2002, any dwelling accommodation located in a building owned as a condominium or cooperative in the state constructed or offered for sale after July 13, 2002, or any multiple dwellings constructed or offered for sale after August 9, 2005, have installed an operable carbon monoxide detector of the standards established by the council. Carbon monoxide detectors required by this section are required only where the dwelling unit

North Carolina

N.C. Gen Stat. § 143-138 - North Carolina State Building Code

has appliances, devices or systems that may emit carbon monoxide or has an attached garage.

Authorizes adoption of provisions requiring the installation of either battery-operated or electrical carbon monoxide detectors in every dwelling unit having a fossil-fuel burning heater or appliance, fireplace, or an attached garage.

N.C. Gen Stat. § 42-42 to 42-44 - Landlord and Tenant Articles - Residential Rental Agreements

Requires landlords to provide one operable carbon monoxide detector per rental unit per level. A landlord that installs one carbon monoxide detector per rental unit per level shall be deemed to be in compliance with standards under this subdivision covering the location and number of detectors. The landlord shall replace or repair the carbon monoxide detectors within 15 days of receipt of notification if the landlord is notified of needed replacement or repairs in writing by the tenant. The landlord shall ensure that a carbon monoxide detector is operable and in good repair at the beginning of each tenancy. Unless the landlord and the tenant have a written agreement to the contrary, the landlord shall place new batteries in a battery-operated carbon monoxide detector at the beginning of a tenancy, and the tenant shall replace the batteries as needed during the tenancy. Failure of the tenant to replace the batteries as needed shall not be considered as negligence on the part of the tenant or the landlord. This subdivision applies only to dwelling units having a fossil-fuel burning heater or appliance, fireplace, or an attached garage. Provides for penalties.

Oregon

Or. Rev. Stat. § 90.316 - Residential Landlord and Tenant Obligations

Prohibits landlords from renting dwellings with a carbon monoxide source unless the dwelling contains a functioning carbon monoxide alarm.

Or. Rev. Stat. § 105.836 to .844 -Carbon Monoxide Alarms in Dwellings

Prohibits the sale or transfer of one-, two- or multi-family housing that contains a carbon monoxide source unless the dwelling contains functioning carbon monoxide alarms that provide detection for all sleeping areas. Prohibits tampering with these alarms.

Or. Rev. Stat. § 455.360 - Mandated Carbon Monoxide Alarms

Requires carbon monoxide alarms in new residential buildings.

Or. Rev. Stat. § 90.320

Deems a rental dwelling unit uninhabitable if it lacks a carbon monoxide alarm when that dwelling unit or the structure that the dwelling unit is a part contains a carbon monoxide source.

Or. Rev. Stat. § 90.325

Prohibits tenants from removing or tampering with carbon monoxide alarms. Requires tenants to test carbon monoxide alarms at least once every six months and replace batteries as needed.

Rhode Island

R.I. Gen. Laws § 23-28.1-2 - Purposes.

Requires Rhode Island Fire Safety Code provide reasonable standards for the installation of smoke and carbon monoxide detectors in private dwellings occupied by one (1), two (2), and three (3) families; provided, further, that after July 1, 2008, three (3) family dwellings shall be equipped with hard wired or supervised interconnected UL approved wireless smoke and carbon monoxide detectors, in accordance with standards established by the Fire Safety Code Board of Appeal and Review. The code adopted pursuant to this legislation, the Rhode Island Uniform Fire Code (RIUFC), requires carbon monoxide detectors in all apartment buildings, dormitories, lodging and rooming houses, one-, two- and three-family dwellings and child day-care facilities (<http://www.fsc.ri.gov/documents/RhodeIslandFireSafetyCode.pdf>)

Texas	<i>Tex. Hum. Res. Code Ann. § 42.060 – Carbon Monoxide Detectors.</i>	Requires that qualifying day-care centers, group day-care homes, and family homes must be equipped with carbon monoxide detectors.
Utah	<i>Tex. Health & Safety Code Ann. § 766.003 - Information Relating to Fire Safety and Carbon Monoxide Dangers</i> <i>Utah Admin. Code § R156-56-802(16)</i>	Requires the state prepare information relating to the availability of carbon monoxide detectors, their use in preventing carbon monoxide poisoning; and the need to properly use and maintain fossil fuel-burning appliances. Requires carbon monoxide alarms on each habitable level in new residential structures regulated by state residential code that are equipped with fuel burning appliances.
	<i>Utah Code Ann. § 10-8-53.5</i>	Prohibits a municipality from enforcing any ordinance, rule or regulation requiring the installation or maintenance of carbon monoxide detectors in a residential dwelling against anyone other than the occupant of the dwelling. Does not affect building permit applicants where building code requires the installation of carbon monoxide detectors as part of new construction.
	<i>Utah Code Ann. § 17-50-327</i>	Prohibits a county from enforcing any ordinance, rule or regulation requiring the installation or maintenance of carbon monoxide detectors in a residential dwelling against anyone other than the occupant of the dwelling. Does not affect building permit applicants where building code requires the installation of carbon monoxide detectors as part of new construction.
Vermont	<i>Vt. Stat. Ann. titl. 9 § 2881 to 2883 – Smoke Detectors and Carbon Monoxide Detectors</i>	Requires that A person who constructs a single-family dwelling shall install one or more smoke detectors, and one or more carbon monoxide detectors in the vicinity of any bedrooms in the dwelling in accordance with the manufacturer's instructions. In a dwelling provided with electrical power, detectors shall be powered by the electrical service in the building and by battery. Statute says that nothing in this section shall require an owner or occupant of a single-family dwelling to maintain or use a smoke detector or a carbon monoxide detector after installation.
	<i>Vt. Stat. Ann. tit. 20, § 2729 – Fire Safety Division General Provisions</i>	Requires any condominium or multiple unit dwelling using a common roof, or row houses, or other residential buildings in which people sleep, including hotels, motels, and tourist homes, excluding single family owner-occupied houses and premises, whether the units are owned or leased or rented, to contain one or more carbon monoxide detectors.
Virginia	<i>Va. Code Ann. § 55-248.16 – Tennant to maintain dwelling unit.</i>	Prohibits the tenant from removing or tampering with a carbon monoxide detector installed by a landlord.
	<i>Va. Code Ann. § 55-248.18 – Tenant Obligations</i>	Authorizes tenant to install carbon monoxide detection devices that the tenant may believe necessary to ensure his safety.
Washington	<i>Wash. Rev. Code Ann. § 19.27.530 – Carbon monoxide alarms</i>	Requires carbon monoxide alarms to be installed in dwelling units built or manufactured in the state; requires the seller of any owner-occupied single-family residence to equip the resident with carbon monoxide alarms before the buyer or any other person may legally occupy the residence; allows the building code council to exempt categories of residential buildings if it determines that requiring carbon monoxide alarms are unnecessary to protect the welfare of the occupants.
Wisconsin	<i>Wis. Stat. Ann. § 101.647 – One- and 2-Family Dwelling</i>	Require that the owner of a residential dwelling install a functional carbon monoxide detector in the basement of the dwelling and on

	<i>Code</i>	each floor level except the attic, garage, or storage area of each dwelling unit. Prohibits tampering with these detectors. *
	<i>Wis. Stat. Ann. § 101.149 - Carbon monoxide detectors</i>	Requires installation of carbon monoxide detectors in certain areas of residential buildings (defined as a tourist rooming hosue, a bed and breakfast, or any public building that is used for sleeping or lodging purposes). Sets forth installation requirements, obligations and liabilities for owners of such residential buildings.
West Virginia	<i>W. Va. Code § 29-3-16a - Smoke detectors in one- and two-family dwellings; carbon monoxide detectors in residential units; penalty</i>	Requires installation of carbon monoxide detectors in any residential unit built after July 1, 1998, that has a fuel-burning cooking or heating source or which is connected to a building (e.g., garage) that has a fuel-burning heating or cooking source. Any person installing a carbon monoxide detector or repairing a fule-burning cooking or heating appliance must inform owner or occupants of dangers of carbon monoxide poisoning.

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